

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

JAMAR FRANK BUACY WILLIAMS,
#44243-037

Plaintiff

v.

UNITY HEALTHCARE CLINIC, et al.,
Defendants

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CIVIL ACTION NO. AW-09-2179

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MEMORANDUM

On August 18, 2009, Plaintiff, a pretrial detainee presently incarcerated at Corrections Corporation of America in Washington, D.C., filed the instant Complaint, stating that he has been denied adequate medical care in violation of his constitutional rights. Paper No. 1. Plaintiff seeks leave to proceed in forma pauperis. Paper No. 2.

The Court deems it appropriate to transfer the instant action pursuant to 28 U.S.C. § 1406(a).¹ Under 28 U.S.C. § 1391(b), a civil action that is not founded solely on diversity of citizenship may be brought only in: (1) a judicial district where any defendant resides, if all defendants reside in the same State, (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred....., or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. It appears that the actions about which Plaintiff complains occurred in the District of Columbia. Accordingly, venue is not proper in this Court² and this case shall be transferred pursuant to 28 U.S.C. § 1406(a) to the

¹In so ruling, this Court will not preliminarily scrutinize the merits of Plaintiff's claims against the named parties, nor will the Court consider Plaintiff's Motion for Leave to Proceed in Forma Pauperis.

²In so ruling, this Court will not examine any questions regarding exhaustion of federal remedies pursuant to § 803 of the Prison Litigation Reform Act of 1995, codified as 42 U.S.C. § 1997e, which provides that no action shall be brought by a prisoner with respect to prison conditions under 42 U.S.C. § 1983, or any other Federal law,

United States District Court for the District of Columbia for all further proceedings.

A separate Order follows.

Date: August 27, 2009

/s/

Alexander Williams, Jr.
United States District Judge

until he or she has exhausted available administrative remedies.